Call to Order:

The meeting was called to order at 7:00 p.m. Present were Chair Zach Bergeron, members Vincent Chiozzi (arrived at 7:14 p.m.), Jay Doherty, Joan Duff, Ann Knowles and Associate Member Steve Pouliot (arrived at 7:19 p.m.); also present were Paul Materazzo, Director of Planning and Lisa Schwarz, Senior Planner.

Town Meeting Update:

Mr. Materazzo stated that a discussion began in the fall with the Board, the Economic Development Council and volunteers to create zoning flexibility around the train station. The Town has been looking at this for years and a group of volunteers has been exploring it in more depth. He introduced resident Steve Fink to walk the Board through their ideas.

Steve Fink of 26 Bateson Drive stated that he is a volunteer who became interested in this project after attending some Andover Tomorrow meetings held by the Economic Development Council. He reviewed the meetings that residents have had so far on this topic to get the dialogue going and begin to come to a consensus on what should be done in the area. Participants have ranged in age from members of the Council on Aging to 18 year old interns who are all volunteers and do not have a vested interest. Mr. Fink reviewed why this project matters. This will stimulate the local economy which will have tax benefits that can increase the amount of local services offered. This project can retain seniors and boomers, attract millenials to the community and encourage investment. This can improve that balance between the tax base and the required service for the community. Mr. Fink noted that both Amesbury and Newburyport have seen an improvement in their tax balance in recent years. This is a way to plan for the future and maintain the character of the community. Andover needs to be a sustainable community, and this has green aspects. Mr. Fink offered to do a site walk with anyone and added that all members of the Board of Selectmen have been on a site walk.

Charlie Kendrick of 8 Forbes Lane stated that the area that they are looking at is the area of Main Street at Railroad Avenue, the Shawsheen River and the train station. No one has done much with the area over the years. The idea is to create a warrant article that could provide a platform within the center of Town to allow private citizens to do what needs to be done at some point in the future to this area. The trouble with this area is that it was developed over time in a piecemeal fashion. The zoning is a nightmare and the infrastructure has not been dealt with and is in need of repairs. The land values are going down in the area, when it should be generating lots of tax revenue for the real estate. The current zoning patterns don't make sense and that restricts development. A zoning overlay could be created that retains current uses, connects them all and allows you to create an area over time that can connect Main Street to the Shawsheen River.

Mr. Kendrick gave the examples of what can be created. Both the San Antonio, Texas River Walk and Boston's Faneuil Hall Marketplace are areas in the United States that became major destinations after revitalization. He added that if you want to revitalize a Town you do it now with a public platform and private investment. This group wants to create a warrant article to allow the Town to be in a position to do that in the center of Town.

Town Meeting Update (cont'd):

Mr. Bergeron thanked the group for their efforts. He asked about hurdles that were encountered at the charrette. Mr. Fink stated that the largest hurdle is convincing the public that this is not being done for private gain, but for the common good. People are also concerned about the pace of this, that things may be done too quickly, or things will be done that do not serve the community well. A walkway may be added quickly but other improvements need to be carefully planned. Mr. Kendrick added that some people don't want to change anything, but things have to always change with the times to be financially successful and increase the quality of life.

Bob Pokress of 3 Cherrywood Circle stated that the zoning was changed in New London Connecticut, presented to residents in this type of manner which ultimately allowed a private organization to convince the local government to gain eminent domain and evict residents from their homes. He asked what will be put in place to protect residents who live in that area. Mr. Kendrick answered that an overlay could protect residents.

Ms. Knowles asked if the group has looked at zoning tools. Mr. Kendrick stated that they have, but they have also just begun to look at what the residents are looking for and are currently looking at ways to add to the underlying zoning.

Mr. Materazzo noted that there have been many community conversations with local residents. The group will be back before the Board in January with a draft for further discussion. He added that residents can contact himself, Mr. Fink or Mr. Kendrick with any questions and are encouraged to participate in public conversations that will be held leading up to Town Meeting. Ms. Duff stated that she finds the idea of opening up the area around the river to be very attractive as it doesn't diminish area houses or businesses. Mr. Fink added that the scenario that Mr. Pokress described is his worst nightmare and the group has spent a lot of time researching this.

It should be noted that at 7:30 p.m. after the discussion on the Town Meeting Update, Ms. Duff left the room.

254 Lowell Street:

Mr. Bergeron opened the continued public hearing on an application submitted by National Development Acquisitions, LLC for a Special Permit for Elderly Housing for a proposed development at 254 Lowell Street at the former Strawberry Hill Farm.

Mr. Materazzo asked the Board if they had any specific questions for the applicant. Mr. Bergeron reviewed the abutters concerns regarding height, density, traffic, power requirements and the definition of congregate care.

Ted Tye of National Development stated that he had submitted additional information on compliance with the use and dimensional requirements, impact on neighborhood character, services provided, traffic information and affordability, and reviewed all of these items. He noted that the project is in compliance with all use and dimensional requirements as well as minimum lot size, density, height, size and open space. The neighborhood currently has a mix of uses including churches, the IRS, and single family homes. The scale, landscaping and aesthetic

254 Lowell Street (cont'd):

characteristics are consistent with the neighborhood. He added that they will be adding over 280 trees to a currently cleared property.

Mr. Tye gave a description of services to be provided at the Andover Senior Residences including a resident services coordinator to provide case management services and work with service providers, activity programs, blood pressure and health screenings and communal meals. They are currently working with the MVRTA and the Transportation Management Association and will provide transportation to special events.

Mr. Tye stated that a detailed traffic study was conducted by Bayside Engineering that stated that at the A.M. peak 14 cars will be entering and 13 cars will be exiting. At the P.M. peak 21 cars will be entering and 18 will be exiting. The site distances are acceptable and they have adequately screened parking. They have moved a parking lot at the request of neighbors and will add and repair a sidewalk.

Mr. Tye reviewed affordability. The developer is requesting that the Board use their discretion to reduce the affordability in each building to 10%. He added that affordability is not generally seen in memory care. The project can still be financed at 10% affordability and an additional payment of \$75,000 would be made to the Town. The 6 affordable units at the Bridges will be tiered in affordability according to the Bylaw. A technical reduction is requested at the Andover Senior Residences for the tiering. The building will be 100% affordable, but for financing reasons the affordability will be stacked towards those in the low level of affordability. As a whole, the project will be 57% affordable.

Ms. Knowles asked if the crosswalk is across the driveway or across Route 133. Mr. Tye stated that the crosswalk is across the driveway; there is no sidewalk on the other side of Route 133. Ms. Knowles asked if any of the proposed screening at the back of the property is existing. Mr. Tye stated that anything on the property line will be staying and they will be adding more trees.

Mr. Doherty stated that he didn't understand why the developer would think that this is not a change to the character of the neighborhood. Mr. Tye stated that the development will be similar to 2 or 3 story homes and the district is residential with a mix of uses. Mr. Doherty questioned the affordability and if they could prove the 15%. Mr. Tye stated that the 6 affordable units substantially change the affordability, and an additional 3 units would put them over the edge. Mr. Doherty noted that the Board received an email from Marland Place stating that they have affordable memory care units. Mr. Tye stated that their information gathered from the Massachusetts Executive Office of Elder Affairs showed that Marland Place only had affordable Assisted Living units. Mr. Materazzo added that when he called Marland Place he was told that they did not have affordability in dementia care.

Steve Hoar of 6 Wild Rose Drive asked for the developer to provide street view images of the farm without the proposed buildings and from the angles of Wild Rose Drive and Sweetbriar Lane.

254 Lowell Street (cont'd):

Bob Pokress of 3 Cherrywood Circle stated that he and his wife recently had to bring his mother-in-law into the area to an elderly facility. At that time, Atria Marland Place had a waiting list so they had to place her out of Town. He encouraged the board to work with the developers. He added that the Town Manager has stated that Andover is senior-unfriendly and the Town needs to find a way to rectify this and address the needs of the growing senior population.

Heather Lauten of 243 Lowell Street requested that the Board continue the public hearing. She stated that the developer has now said that many residents will own vehicles when they have previously stated only some or few would. She is directly across the street from the driveway of this huge project that is at the highest density and on the very edge of every setback. No other project in Town is at such a high density on such a small parcel and it is completely inappropriate.

Ann Cobleigh of 21 Magnolia Avenue, Chair of the Andover Housing Partnership Committee stated that the elderly population in Town is underserved and the AHPC has written a letter of support for this project to the Board.

Paulette Zuena of 20 Windemere Drive asked the Board if they can honestly look in her eye and say that the monstrosity is in keeping with the single family zoning of the neighborhood, and it won't completely destroy their quality of life and right to private enjoyment of their properties.

On a motion by Mr. Doherty seconded by Mr. Chiozzi the Board moved to close the public hearing on 254 Lowell Street, Special Permit for Elderly Housing. **Vote:** Unanimous (5-0).

It should be noted that at 8:03 p.m. after the discussion on 254 Lowell Street Mr. Doherty left the meeting and did not return, and at 8:04 p.m. Ms. Duff returned to the meeting.

139-143 Elm Street and 26 Pine Street:

Mr. Bergeron opened the continued public hearing for 139-143 Elm Street and 26 Pine Street, an application submitted by CSH of Andover, LLC for a Special Permit for Elderly Housing for a 103 unit assisted living facility.

Ms. Schwarz stated that this application for a Special Permit for Elderly Housing was submitted by CSH of Andover on October 28, 2014. The on the 10.7 acre site is proposed a 88,126 s.f. building that is 35 ft high to the midpoint of the roof with 64% of the parcel being open space and 36% disturbed by parking, building or pathways. The site is .6 miles from downtown, located in the SRB district. She reviewed the uses allowed by right in the SRB district and those allowed by special permit from either the Planning Board or Zoning Board of Appeals. The project will provide affordability in 15% of the units. The site will be serviced by municipal water and sewer and will provide 64 parking spaces onsite with 55 being required. Ms. Schwarz reviewed the items that were discussed at the Interdepartmental Review. The Planning Division would like more information on the transportation services and lighting, and an independent peer review to be performed on both the applicant's traffic report and stormwater report. Municipal Services submitted a detailed comment letter to the Board. The Police Department requested information on the number of employees, and asked if the residents would drive, what alternative

transportation would be provided, what the shift times would be and if there would be a management company. The applicant informed them that there can be 41-54 employees at any time, residents will not drive, there will be a 14 passenger van and town car onsite, there will be staggered shifts and the management company is Northbridge. The Fire Department had no further comment as the project meets emergency access requirements. The Conservation had no comment because the project is out of their jurisdiction, and the Board of Health submitted a detailed memo.

John Smolak an attorney representing of Capital Seniors Housing introduced the project team of Joseph McElwee of Capital Seniors Housing, Shawn Bertram of the Northbridge Companies, Chris Huntress of Huntress Associates, Paul Marchionda and John Barrow of Marchionda & Associates, Steve Ruiz of Moseley Architects and Ken Cram of Bayside Engineering.

Mr. McElwee gave an overview of Capital Seniors Housing. Their current portfolio includes 16 operating facilities and 3 facilities under construction. He gave population data and information on alzheimers. Mr. McElwee noted that the decision makers are rarely the senior him or herself and most commonly their 45-64 year old children. He noted that 13.2% of the population is 55-64 and 13.3% of the population is over 65 which accounts for 26.5% of the population as decision makers. He added that there would be an opportunity to work with Merrimack College's Health Sciences students, and local teenagers would be able to volunteer at the facility. The proximity to downtown is also very convenient.

Mr. McElwee discussed the outreach with neighbors and changes that were made to the plan based on their feedback. He reviewed how the project meets all zoning requirements and in some cases exceeds the requirements. He reviewed all of the setbacks for direct abutters. The facility will be 103 units, with 80 units dedicated to assisted living and 23 units memory care. The building will be an approximate 88,000 s.f., 3 story X shaped building. The facility will offer many service to its residents, will have no impact to the school system, very little impact on traffic and will be a property tax generator.

Shawn Bertram, Vice President of Operations for Northbridge Companies, the management company, stated that they are based out of Burlington and own and operate 8 elderly communities. They operate an eat fresh eat local dining program. All five members of their management team used to work at Atria Marland Place. He showed their Stonebridge property in Burlington.

Chris Huntress of Huntress Associates and a resident of 17 Tewksbury Street reviewed the site design. He showed the wetlands on the property and the setbacks from the wetlands noting that they have kept everything out of the 100 foot buffer zone. The site is 5.6 acres, 56% of which will remain open space. There will be .85 acres of landscaping and garden areas that will be part of the 64% of impervious areas. After meeting with neighbors they have tried to enhance and protect the existing wooded buffer. A fence was also be added to protect abutters, and parking spaces were moved from the original plan based on feedback. Pedestrian scale street lights have been added.

Steve Ruiz an Architect with Moseley Architects stated that they have worked on 300 of these types of facilities in 30 states and 3 countries. This is the biggest site and furthest setback he has ever done. He stated that he has studied the architectural styles of Andover and has chosen a Gambrel style to pull down the height of the building. He showed a rendering of the front of the building with portico clapboard siding and stonework. He also showed a Gable style of building and added that they are flexible with the architecture. Mr. Ruiz reviewed typical units of a studio, one bedroom and two bedroom, and reviewed their floorplans. He stated that the "X Plan" style of building makes for short corridors and allows for no one to see the entire building at one time from the outside. The first floor will be the memory care wing.

Mr. McElwee gave a presentation of the conclusions. He added that they have incorporated neighbors' comments into the plan. He presented the Board a petition of 1,811 signatures in favor of the project.

Mary Garrity Cormier of 14 Nicole Drive asked how many units are affordable and Mr. McElwee stated 15% of units.

George Thorlin of 115 Summer Street stated that there is a standing pond on the 26 Pine Street property. He believes that based on the Massachusetts Wetlands Act there would have to be a 200 ft buffer from that pond and would have to go before the Conservation Commission. He asked that the Board look into that.

Dan Eldredge of 6 Elm Court asked what criteria is used by the Board to approve or disapprove the project. Mr. Materazzo stated that for an approval the developers have to prove that they comply with all standards of Section 7.4.4 of the Zoning Bylaw. Mr. Eldredge asked if there is a special exemption that they have to meet the intent of the Bylaw. Mr. Materazzo stated that it is a system of checks and balances, and there are 5 criteria they have to prove they comply with.

Joe Krueger of 75 Elm Street asked how the Board determines if the public is satisfied and how does that weigh into their decision. Mr. Bergeron stated that the Board follows the Bylaw and Town meeting decisions and seeks public input at their meetings all of which is brought into their deliberations to make a decision. He encouraged all who had any further ideas or input on the project to provide such to the Board.

Rob Ciampa of 53 Pine Street stated that everyone cares about elder care. The building is pretty and the landscape architecture is nice. This meeting is full because this project does not fit the character of a residential neighborhood, and every neighborhood in Andover is at risk because it is allowed. The Planning Board has qualitative decisions to make, and Andover is a large town, not a city. Mr. Bergeron noted that elderly housing is allowed in residential districts because the Town's residents voted to allow such at a Town Meeting. Mr. Ciampa stated that it comes down to where this fits and he was recently at a facility in New Jersey that is not in a residential district, and putting it in a residential district does not work. The developers 1,000 signatures were collected outside of Stop and Shop, but if you speak with the neighbors who will be affected you get a very different viewpoint. It is a qualitative call on the part of the Board to see

how this fits into a residential single family neighborhood. He added that the fact that it is sitting on a hill is problematic in regards to the lighting.

Jessica Enners of 6 Cheever Circle stated that she is a geriatric social worker and a mother of two young children. She moved to Andover one year ago and enjoys her neighborhood because there is no large commercial property or any traffic. She is concerned for the children in the neighborhood because there will be three shifts of 40-50 employees or private aids who do not have to have CORI checks running through her neighborhood with children. This will change the aesthetics, social atmosphere and security of the neighborhood. As a geriatric social work she believes that the Town needs this type of elderly care, but not in this neighborhood, and it does not give back anything to the community.

Tyler Richard of 7 Chickering Court stated that his biggest concern is that he does not want his parents or grandparents to be living between Target and Pfizer, he would want them to be downtown. He added that he doesn't see a big issue with traffic.

Nan Conte of 134 Elm Street stated that she owns a historic home and 29 houses in the area were built before 1900. The Master Plan talks about a strong and consistent zoning to protect historic buildings and places. She asked if the Preservation Commission has any say in this. Mr. Bergeron stated that as long as the property is not classified as historic, all the Board can do is to ask the applicant to work within the look and feel of the neighborhood.

Susan Donahue of 15 Shipman Road stated that she is concerned about traffic because the Elm Street traffic in the afternoon heading towards 114 backs up to this site. Mr. Bergeron stated that a peer review will be conducted on the traffic study.

Larry Stefani of 11 Burton Farm Road stated that he moved to Andover from Reading in 2008. He believes that 10-15 single family homes will not produce as much traffic. The recent Nor'easter flooded a culvert on his property and the drainage came from a wetland on this property so he is very concerned about drainage.

Mark Bernardin of 140 Elm Street asked how the Board will accommodate the number of people coming to the meetings moving forward. He added that he has received permission for a 10-15 minute presentation and would like to know when he will be able to make his presentation. Mr. Bergeron asked Mr. Bernardin to provide a list of signatures of those who he will be representing in his presentation. Mr. Materazzo suggested that that Mr. Bernardin be allowed to make his presentation at the next meeting to lead the discussion. Ms. Schwarz stated that the library is not available again until April. The Town will do what it can to move the meeting to larger venues, but the January 13th meeting will be in the School Committee Room and the January 27th meeting has to be in the Selectmen's Room. Ms. Schwarz noted that not all rooms in Town have television recording access and it is important to be able to televise the meetings. Mr. Bernardin stated that if they do not hold the meeting in a room that accommodates all those who want to attend they may be violating the open meeting law and he suggested that they discuss that issue with Town Counsel. Mr. Bergeron stated that they will discuss that with Town Counsel, and

going forward they will accommodate the public as best as they possibly can, but may not always be possible.

On a motion by Ms. Knowles seconded by Mr. Chiozzi the Board continued the public hearing on 139-143 Elm Street and 26 Pine Street to January 13, 2014 at 7:45 p.m. **Vote:** Unanimous (5-0).

Adjournment: The meeting was adjourned at 9:05 p.m.